

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WARREN ZINNAMON, on behalf of himself
and all others similarly situated,

Plaintiff,

-against-

FARMERS FINANCIAL SOLUTIONS, LLC,

Defendant.

1:22-cv-03117 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

Plaintiff alleges that Defendant's website is not accessible to blind and visually impaired customers and, thus, violates Title III of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12181 *et seq.* The parties report that they have explored settlement and may be interested in revisiting settlement discussions after additional discovery is conducted. ECF No. 17. By separate Order today, the Court is referring this case to Magistrate Judge Ona T. Wang for General Pretrial Purposes, including settlement.

In addition, to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. If both parties consent to proceed before Magistrate Judge Ona T. Wang, they must, **within two weeks of the date of this Order**, submit to the Court a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to this Order (and also available at <http://nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>). If the Court approves that form, all further proceedings will then be conducted before Magistrate Judge Ona T. Wang rather than before this Court. Any appeal would be taken directly to the United States

Court of Appeals for the Second Circuit, as it would be from this Court if the consent form were not signed and so ordered. An information sheet on proceedings before magistrate judges is also attached to this Order.

If any party does not consent to conducting all further proceedings before the Magistrate Judge, the parties must file a joint letter, **within two weeks of the date of this Order**, advising the Court that the parties do not consent, **but without disclosing the identity of the party or parties who do not consent**. No adverse consequences will result from the withholding of that consent. In that joint letter, the parties shall also advise the Court whether they request a referral to a settlement conference.

Dated: October 7, 2022
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge